



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,748	12/06/2001	Craig A. Paulsen	406590	6019

27717 7590 06/08/2005

SEYFARTH SHAW  
55 EAST MONROE STREET  
SUITE 4200  
CHICAGO, IL 60603-5803

EXAMINER

HOTALING, JOHN M

ART UNIT	PAPER NUMBER
----------	--------------

3713

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

6

# Office Action Summary

Application No.

10/008,748

Applicant(s)

PAULSEN ET AL.

Examiner

John M. Hotaling II

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 60-73 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 60-73 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 60-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,605,506 to Hoorn et al. (Hoorn) and further in view of US Patent No. 6,897,624 to Lys et al (Lys). Hoorn teaches a gaming machine (4:48-49), a user input mechanism (4:49-50), an external visual indicator providing illumination in multiple colors (5: 1-13), the colors are illuminated in a controlled fashion as a result of different events (5:1-13) such as jackpots (Abstract) and requirements for service (5:8-12), the external visual indicator is a cylindrically shaped electronic candle (Fig. 3), the customized illumination pattern is a two-stage candle with different light sources (5:41-43). A processor controlling game input and illumination output is inherent with gaming machines and is supported through the disclosure of the gaming machine maybe any variety of computer (3:60-63). Hoorn does not teach using LEDs or illumination patterns using the LEDs. Instead Horn teaches and provides motivation to find other light sources in column 6:18-24 that regardless of the means by which the top and bottom stages are colored, the particular colors of the top and bottom stages will generally be different and chosen according to a casino operator's preference. In an analogous invention to Lys therein is disclosed an intelligent lighting device that can receive signals

and change the illumination conditions as a result of the received signals. The lighting device can change hue, saturation, and brightness as a response to received signals. One example of using such a lighting device is to display particular colors as a response to certain events (abstract). Column 6 discloses how the LCD device may be controlled and the transmission of the control. Column 9 discloses that the illumination source may be anything. Column 11 discloses how the combination of red green and blue leds can be controlled to provide different lighting effects. Column 12:20-35 discloses that the lighting device may be any shape, size, shading, material or selected for its light transmitting properties. Column 18 discloses control with PWM. Columns 27-30 disclose how a LCD screen may change color using the control system of the invention by changing the backlighting in accordance with a condition. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hoorn to replace the current illumination display for an inexpensive LED light display using the motivation provided in Hoorn that regardless of the means by which the top and bottom stages are colored, the particular colors of the top and bottom stages will generally be different and chosen according to a casino operator's preference. Additionally, Hoorn teaches that a communication link and interface is already present to connect to the current candle from the gaming machine (Hoorn, Fig. 2) and the above discussed existing user input panel.

### ***Response to Arguments***

Applicant's arguments with respect to claims 60-73 have been considered but are moot in view of the new ground(s) of rejection.

***Citation of Pertinent Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Morrison '362 discloses a lighted display emitting variable colors

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Hotaling II whose telephone number is (571) 272 4437. The examiner can normally be reached on Mon-Thurs 7:30-6.

Art Unit: 3713

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272 3507. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**JOHN M. HOTALING, II**  
**PRIMARY EXAMINER**

June 3, 2005